

of reasons and bases for the action(s) taken. Such decision by the Secretary shall be final agency action within the meaning of 5 U.S.C. 704.

## **PART 2575—ADJUSTMENT OF CIVIL PENALTIES UNDER ERISA TITLE I**

### **Subpart A—Adjustment of Civil Penalties Under ERISA Title I**

Sec.

2575.100 In general.

2575.209b-1 Adjusted civil penalty under section 209(b).

2575.502c-1 Adjusted civil penalty under section 502(c)(1).

2575.502c-2 Adjusted civil penalty under section 502(c)(2).

2575.502c-3 Adjusted civil penalty under section 502(c)(3).

### **Subpart B—D [Reserved]**

**AUTHORITY:** 29 U.S.C. 1135; Secretary of Labor Order No. 1-87; sec. 4, Pub. L. 101-410; 104 Stat. 890 (28 U.S.C. 2461 note), as amended by sec. 31001(s)(1), Pub. L. 104-134, 110 Stat. 1321-373.

**SOURCE:** 64 FR 42246, Aug. 3, 1999, unless otherwise noted.

### **Subpart A—Adjustment of Civil Penalties Under ERISA Title I**

**SOURCE:** 62 FR 40699, July 29, 1997, unless otherwise noted. Redesignated at 64 FR 42246, Aug. 3, 1999.

#### **§ 2575.100 In general.**

Section 3720E of the Debt Collection Improvement Act of 1996 (the Act, Pub. L. 104-134, 110 Stat. 1321-373) amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (the 1990 Act, Pub. L. 101-410, 104 Stat. 890) to require generally that the head of each federal agency adjust the civil monetary penalties subject to its jurisdiction for inflation within 180 days after enactment of the Act and at least once every four years thereafter.

#### **§ 2575.209b-1 Adjusted civil penalty under section 209(b).**

In accordance with the requirements of the 1990 Act, as amended, the amount of the civil monetary penalty established by section 209(b) of the Employee Retirement Income Security Act of 1974, as amended (ERISA), is hereby increased from \$10 for each employee to \$11 for each employee. This adjusted penalty applies only to violations occurring after July 29, 1997.

#### **§ 2575.502c-1 Adjusted civil penalty under section 502(c)(1).**

In accordance with the requirements of the 1990 Act, as amended, the maximum amount of the civil monetary penalty established by section 502(c)(1) of the Employee Retirement Income Security Act of 1974, as amended (ERISA), is hereby increased from \$100 a day to \$110 a day. This adjusted penalty applies only to violations occurring after July 29, 1997.

#### **§ 2575.502c-2 Adjusted civil penalty under section 502(c)(2).**

In accordance with the requirements of the 1990 Act, as amended, the maximum amount of the civil monetary penalty established by section 502(c)(2) of the Employee Retirement Income Security Act of 1974, as amended (ERISA), is hereby increased from \$1000 a day to \$1100 a day. This adjusted penalty applies only to violations occurring after July 29, 1997.

#### **§ 2575.502c-3 Adjusted civil penalty under section 502(c)(3).**

In accordance with the requirements of the 1990 Act, as amended, the maximum amount of the civil monetary penalty established by section 502(c)(3) of the Employee Retirement Income Security Act of 1974, as amended (ERISA), is hereby increased from \$100 a day to \$110 a day. This adjusted penalty applies only to violations occurring after July 29, 1997.

### **Subpart B—D [Reserved]**